

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
CENTRAL DIVISION**

DENZIL DEAN,)
)
)
Plaintiff,)
)
)
v.) No. 05-4271-CV-C-NKL
)
)
FULTON STATE HOSPITAL, et al.,)
)
)
Defendants.)

ORDER

On October 31, 2005, the United States Magistrate Judge recommended dismissing plaintiff's claims against Fulton State Hospital and Callaway County, Missouri, pursuant to 28 U.S.C. § 1915, for failure to state a claim.. The parties were advised they could file written exceptions to the recommendation, pursuant to 28 U.S.C. § 636(b)(1)(C).

The court has conducted a de novo review of the record, including the exceptions filed by plaintiff on November 9, 2005. The issues raised in plaintiff's exceptions were adequately addressed in the report and recommendation. The court is persuaded that the recommendation of the Magistrate Judge is correct and should be adopted.

IT IS, THEREFORE, ORDERED that plaintiff's claims against Fulton State Hospital and Callaway County, Missouri, are dismissed, pursuant to 28 U.S.C. § 1915, for failure to state a claim.

/s/

NANETTE K. LAUGHREY
United States District Judge

Dated: January 17, 2006
Jefferson City, Missouri